

FISCAL NOTE

HB 2934 - SB 3144

February 16, 2002

SUMMARY OF BILL: Removes *the intellectually gifted* from the definition of *child with disabilities* in TCA 49-10-102. This definitional change would take effect August 3, 2003.

The bill also requires the Commissioner of Education, in conjunction with the State Board of Education to design a plan for accommodating the needs of intellectually gifted students in the regular classroom by April 15, 2003. Any funds expended in the fiscal year, in which the plan takes effect for the education of intellectually gifted children through special education, shall be transferred to a special account in the Department of Education budget to provide services for these children. Such services shall be available during the 2003-04 school year.

ESTIMATED FISCAL IMPACT:

Other Fiscal Impact – Earmarks an amount exceeding \$8,000,000 from the BEP into a special account within the Department of Education for intellectually gifted children.

Presently, under Tennessee law the definitions for children eligible for special services correspond with the federal definitions, with the exception for intellectually gifted, which Tennessee includes within its definition but federal law does not. This bill would have the effect of earmarking funds for the specific purpose of providing programs for the gifted. Currently, gifted children receive services within the definition of children with disabilities.

The Department of Education estimates that there are between 18,000 and 19,000 gifted children by state definition who are funded through the BEP based on special education. The funding generated by these students (\$8,900,000) would be transferred into a special account in the Department's budget to provide services for gifted children only. This amount of funding would not be reduced, but such funds would be required to be spent for gifted programs.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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